

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,) U.S.C.A. No. 11-50107
)
Plaintiff-Appellee,) U.S.D.C. No. 10CR1805-JAH
)
v.)
) MOTION FOR SUBSTITUTION
DANIEL EDWARD CHOVAN,) OF COUNSEL
)
Defendant-Appellant.)

Defendant-Appellant, by and through present counsel, Devin Burstein and Federal Defenders of San Diego, Inc., hereby moves this Court to relieve Federal Defenders of San Diego, Inc., and appoint Devin Burstein, Esq., as private practitioner at 1140 Wall Street, #72, La Jolla, CA 92038, phone 619.567.9701, as counsel of record for the defendant-appellant in the above-captioned case as of December 2, 2013. The attached declaration of counsel is submitted in support thereof.

Respectfully submitted,

s/ Devin Burstein

DATED: November 14, 2013

DEVIN BURSTEIN, ESQ.
Federal Defenders of San Diego, Inc.
225 Broadway, Suite 900
San Diego, CA 92101-5030
Telephone: (619) 234-8467

Attorneys for Defendant-Appellant

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UNITED STATES OF AMERICA,)	U.S.C.A. No. 11-50107
)	
Plaintiff-Appellee,)	U.S.D.C. No. 10CR1805-JAH
)	
v.)	
)	DECLARATION
DANIEL EDWARD CHOVAN,)	IN SUPPORT OF MOTION FOR
)	<u>SUBSTITUTION OF COUNSEL</u>
Defendant-Appellant.)	

I, Devin Burstein, Esq., declare under penalty of perjury:

1. I am an attorney duly licensed to practice law in the State of California, the United States District Court for the Southern District of California and the United States Court of Appeals for the Ninth Circuit, and in such capacity am employed as an Attorney with Federal Defenders of San Diego, Inc.

2. On April 19, 2010, Federal Defenders of San Diego, Inc., was appointed to represent Daniel Edward Chovan in the above-captioned criminal case in the United States District Court for the Southern District of California, which subsequently resulted in the instant appeal.

3. As of December 2, 2013, I am leaving Federal Defenders of San Diego, Inc., to enter private practice at 1140 Wall Street, #72, La Jolla, CA 92038,

phone 619.567.9701, and will be listed as counsel in the underlying district court case.

4. Federal Defenders of San Diego, Inc., agrees that I should remain as counsel for defendant-appellant and that Federal Defenders of San Diego, Inc., be relieved as counsel of record in the instant appeal.

5. Accordingly, in compliance with past practice of this Court and Federal Defenders of San Diego, Inc., upon substitution of counsel, please send all future correspondence and/or communications concerning the above-captioned case to:

Devin Burstein, Esq.,
1140 Wall Street, #72
La Jolla, CA 92038
Telephone: 619.567.9701

6. I declare that the foregoing is true and correct to the best of my knowledge and belief this 14th day of November, 2013, in San Diego, California.

s/ Devin Burstein
DEVIN BURSTEIN
Federal Defenders of San Diego, Inc.
225 Broadway, Suite 900
San Diego, CA 92101-5030
Telephone: (619) 234-8467

Attorneys for Defendant-Appellant

**Certificate of Service When Not All Case Participants Are CM/ECF
Participants**

I hereby certify that on November 14, 2013, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system.

Participants in the case who are registered CM/ECF users will be served by the appellate CM/ECF system.

I further certify that some of the participants in the case are not registered CM/ECF users. I have mailed the foregoing document by First-Class Mail, postage prepaid, or have dispatched it to a third party commercial carrier for delivery within 3 calendar days, to the following non-CM/ECF participants:

s/ Devin Burstein